

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

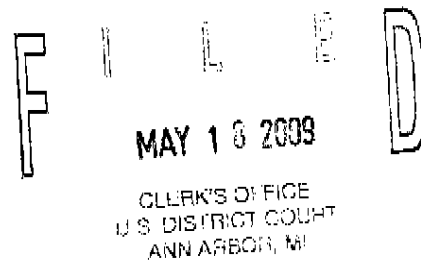
Criminal Case No. 07-20341

vs.

HONORABLE JOHN CORBETT O'MEARA

D-1 VITO J. MUNACO,  
D-2 JOHN W. BURCHAM, II.

Defendants.



**MOTION TO DISMISS INDICTMENT**

The United States of America, by and through the undersigned attorneys, moves this Court pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure for entry of an Order dismissing the Indictment in this matter with respect to defendants Vito J. Munaco and John W. Burcham, II.

In support of this motion, the government submits the following:

1. On July 11, 2007 a grand jury in this district returned a two count indictment charging defendant Vito Munaco and defendant John W. Burcham, II with conspiracy to launder money (Count One) and charging defendant Vito Munaco with presenting a false claim in a bankruptcy proceeding (Count Two).
2. The United States Attorney has determined that the ends of justice will not be served by pursuing this matter through trial.

Therefore, to preserve the resources of this Court and the parties, the United States Attorney now moves for leave of Court to dismiss the Indictment and to terminate these proceedings.

Respectfully submitted,

TERRENCE BERG  
United States Attorney

BRUCE C. JUDGE  
Assistant U.S. Attorney

s/Terrence Berg  
TERRENCE BERG (40295)  
United States Attorney  
211 West Fort Street, Suite 2001  
Detroit, Michigan 48226  
Phone: 313-226-9160

s/Bruce C. Judge  
BRUCE C. JUDGE (CA 148805)  
Assistant U.S. Attorney  
211 West Fort Street, Suite 2001  
Detroit, Michigan 48226  
Phone: 313-226-9122  
bruce.judge@usdoj.gov

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

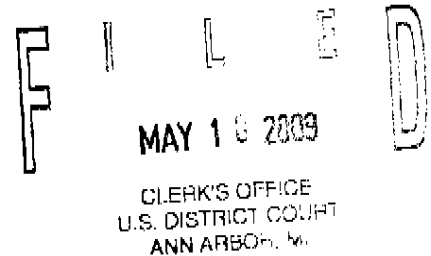
Criminal Case No. 07-20341

vs.

HONORABLE JOHN CORBETT O'MEARA

D-1 VITO J. MUNACO,  
D-2 JOHN W. BURCHAM, II.

Defendants.



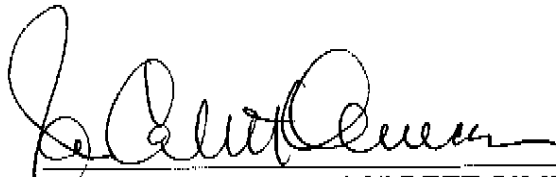
**ORDER OF DISMISSAL**

The government having moved pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure;

IT IS HEREBY ORDERED that the Indictment in this matter is dismissed as to defendant Vito J. Munaco and defendant John W. Burcham, II.

IT IS FURTHER ORDERED that any bond issued to or presented by either defendant in this matter is hereby canceled.

Date: May 18, 2009

  
HONORABLE JOHN CORBETT O'MEARA  
United States District Court Judge